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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2020 OF 2007

M/s.Deto Stop India Ltd. & Anr..Petitioners

Vs.

The Assistant Director,
Directorate of Enforcement & Ors..Respondents

Ms.Beena Pillai for the Petitioners
Mr. R.V. Desai, Senior Counsel with Mr. Y.R. Mishra, Mr. D.A. Dubey and Mr. H.P. Chaturvedi, for the respondents.

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 20th September,2007

P.C.:

. Rule. Heard forthwith.

2. The contention as urged on behalf of the petitioner was that they have received no notice, but the notice was served on the Director which is no notice on the Company. Various other contentions have also been urged.

3. For the order to be passed we do not propose to consider the various contentions. Considering the civil consequences which will follow the impugned order dated 29th December, 2006 has to be set aside.

4. The petitioner and/or the Director by themselves or through their representative to appear before the Special Director of Enforcement on 21st November, 2007 at 11.00 a.m. It will be open to them to file their reply to the show cause notice on the said date. Thereafter the Special Director of Enforcement if the petitioner and the Director seek any further opportunity to give them the said opportunity and thereafter to proceed to pass orders according to law.

. In the light of that the impugned order dated 29th December, 2006 is set aside with the direction as aforestated. As a consequences of quashing of the order dated 29th December, 2006 the demand notice dated 24th May, 2007 is also quashed and set aside. Rule made absolute accordingly. No order as to costs.

(J.P. DEVADHAR, J.) (F.I.REBELLO, J.)